



SAN BRUNO CITY COUNCIL

REGULAR MEETING

MINUTES

April 27, 2004

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in Regular Session at the San Bruno Senior Center located at 1555 Crystal Springs Road. The meeting was called to order at 7:00 pm.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

ROLL CALL:

Recorded by City Clerk Simon, present were Mayor Franzella, presiding; Vice Mayor O'Connell, Councilmembers Ibarra, Pallas, and Ruane.

PLEDGE OF ALLEGIANCE:

Mayor Franzella asked **Director of Community Development Tom Williams** lead us in the pledge.

ANNOUNCEMENTS:

Mayor Franzella invited everyone to join San Bruno's Beautification Task Force and the San Bruno Garbage Company for the **6th Annual "Operation Clean Sweep"**, this Saturday, May 1st. Vice Mayor O'Connell who also chairs the Beautification Task Force added, they are looking forward to this great event and encouraged people to come to the park Saturday morning even if they haven't yet signed up.

PRESENTATIONS:

- a. Earlier in the evening, **Mayor Franzella** presented Certificates of Appreciation to Capuchino High School students who participated in "**Youth In Government Week**" activities. The program culminated with the students holding a mock Council meeting. Although, it was planned that the certificates be presented at tonight's meeting, the Mayor made a special trip to give them their certificates and congratulate them.

- b. **The Mayor** introduced our new Superintendent of the San Mateo Union High School District, **Samuel Johnson**.

Jr. Mr. Johnson's, career includes fifteen years of service as Vice Principal, then as Principal at Capuchino High School, thanked the Council for the proclamation presented to him recently, expressed admiration for his colleagues, and enthusiasm for his new position.

- c. **Mayor Franzella** presented Public Works Director Scott Munns with a proclamation declaring May 2nd to 8th as "**Drinking Water Week**" in the City of San Bruno.

Director Munns reminded our residents to drink plenty of water this summer, especially during heat waves, and hopes that the drinking water of choice is the clean, safe water provided by the hard working employees of the San Bruno Public Works Water Division. San Brunans are fortunate to be able to take safe, clean water for granted unlike many people throughout the world. Your health is our priority in the San Bruno Public Works department; we are constantly monitoring the safety of our water system and making changes to increase the safety and security of our drinking water supply. I am pleased to report that unlike numerous water systems throughout the United States, the San Bruno water system is MTBE free and is tested quarterly and the testing for lead shows that most traces in our system are so small, they are undetectable. Our citizens can help to protect San Bruno drinking water by not putting hazardous chemicals in storm drains, or let them leach into the ground, and please conserve during the warm summer months. For more information, a new water conservation website has been added to the City's website by Public Works staff, its address is www.sanbrunowater.ca.gov.

- d. **The Mayor** also presented Angela Rory, Assistant Vector Ecologist with the San Mateo County Mosquito Abatement District, a proclamation declaring May 3rd to 9th as “**Mosquito and Vector Control and West Nile Virus Awareness Week**”.

Ms. Rory thanked the council and noted that last year, through increased awareness of the importance of vector control, a successful annexation of the north and west areas of the county this will enable the district to better protect the health of all citizens of San Mateo County from mosquito borne diseases and she welcomed San Bruno as one of the newly annexed cities. Public education is an integral part of the districts ongoing effort to minimize the public health implications presented by mosquitoes. Increased public awareness of mosquito and vector control agencies is instrumental in aiding the efforts to control mosquito population. Mosquito and Vector Control and West Nile Virus awareness week is an important start in the on-going battle against West Nile Virus. This year West Nile Virus has already been detected in several southern California counties, California is expected to be the epicenter of this year’s human disease epidemic. Through public awareness, effective mosquito control, and inter-agency collaboration, health agencies hope to minimize the extent of the outbreak. She invited everyone to attend an open house being held by the district on May 5th, where they can learn more about the district and their services.

- e. **Mayor Franzella** noted that a proclamation honoring **Dr. Frances White**, President, Skyline Community College, who will be leaving her position on May 28, 2004, will be presented at a Function, the following night.

REVIEW OF AGENDA: Items 9a and 13a were moved up to follow Item 5.

APPROVAL OF MINUTES:

For the regular Council meeting of April 13, 2004, approved as submitted with the addition of Public Comment made by Rose Urbach, accidentally omitted. Mrs. Urbach had requested a moment of silence and a private prayer for world peace.

CONSENT CALENDAR:

- a. **Approve: Payroll** of April 9, 2004
- b. **Approve: Accounts Payable** of March 29, and April 5, 2004. (Council Packets only, copy is available for review at the City Clerk’s office)
- c. **Accept: Reconciliation of General Ledger** to Bank reports and the **Investment** reports dated March 31, 2004, as submitted by City Treasurer Karen Hornung.
- d. **Accept: Resignation** received April 13, 2004, from Donna Meixner, member of the Citizens Crime Prevention Committee. City Clerk will publish notice of vacancy to fill this position.

M/S Ibarra/Ruane, to approve the Consent Calendar. Passed unanimously.

PUBLIC HEARINGS (Notices have been published, posted, and mailed): None

Items moved up on the agenda:

9a. Fire Chief Dan Voreyer recommended Council accept donation of \$20,000 from “**The Crossing Apartment Associates**” to purchase two **thermal imaging cameras** for the Fire Department.

Chief Voreyer explained this was an eighteen-month joint collaboration between the Fire Department and the developer, Regis Homes. He commended two key players in this process, Fire Marshal George Devendorf and Drew Hudacek with Regis Homes. Due to the construction and layout of the parking garages at The Crossing complex, there were some fire and life safety concerns. These cameras will aid in search efforts, making it possible to detect people and additional hidden fires in thick smoke. The current equipment was shown and its use was demonstrated. The generosity of this donation not only benefits, The Crossing complex, but the entire community, because the cameras will become part of the equipment

on both engines 51 & 52. Drew Hudacek reiterated what Chief Voreyer said about the building design and thanked all City Departments for their help in this entire building process and named Chief Dan Voreyer and Fire Marshal George Devendorf as instrumental in the success of this solution.

M/S Ruane/Ibarra, to accept the donation. Passed unanimously

13a. Councilmember Pallas requested the City Council consider establishing a Citizen Utility Advisory Commission and discontinue use of **Chloramine** in the City's water supply. Included is letter dated April 5, 2004 from Richard L. Fisher of Walnut Avenue stating he must now buy bottled water. Also included is reprint of The Examiner Newspaper article dated April 20, 2004, "Chloramine: The correct public choice" by June M. Weintraub, an epidemiologist with the Environmental Health Section of the San Francisco Department of Public Health.

Councilmember Pallas read an email he received from San Bruno resident, Verna McGann, expressing her concerns related to our water being treated with Chloramine. Councilmember Pallas then elaborated on his request to form a commission, noting that he would like to see the documentation outlining the positive and negative effects of adding Chloramine to the water.

Councilmember Ruane asked if the water from our own wells and water pumped from the Hetch Hetchy supply ends up combined.

Public Works Director Scott Munns confirmed, our system is blended, but explained depending on your exact location in the City, you may have a larger percentage of water from one source or the other.

Councilmember Ruane asked if our well water is treated separately.

Mr. Munns answered, yes; well water is treated at each wellhead facility before it enters the system.

Councilmember Ruane asked, if we are required by law, to treat the well water.

Director Munns stated, the well water doesn't contain natural bacteria, and it is possible to put water that has not been disinfected into the drinking water system, however, most agencies choose not to, because of the potential for water pipeline breaks or other means of introducing bacterial into the system.

Referencing the article written by June M. Weintraub, **Councilmember Ruane** asked if the government mandates the use of Chloramine in U.S. water systems.

Director Munns responded, surface water sources, are mandated to be treated and most of the country has surface water as their supply.

Vice Mayor O'Connell asked for details on what a Citizen Utility Advisory Commission would do. Her understanding they would do research on a variety of issues including legal ones.

Councilmember Pallas answered they would be no different than the other commissions we have. They would do research, oversee the testing of water, and do the footwork to determine if we can bottle and sell water. He stated that we have missed opportunities to apply for grants and as a result, the City has no back up generators on our wells. He added, forming this commission wouldn't cost us anything, and if it doesn't work, we haven't lost anything if it does we have everything to gain.

Vice Mayor O'Connell feels it's a contradiction to say, supplying clean water is extremely complex, yet the commission will do research. She is not aware of any commission that does research, staff does the research; the commission reviews it and acts on a staff recommendation. While members of a commission have background related to that commission, they would have to be highly qualified to make recommendations on something as complex as water issues. She also pointed out that the well water tap on Highway 92 has been closed for years due to health issues. She stated, to her knowledge we have two back-up generators and asked Public Works Deputy Director Jerry Bradshaw what the status of them was.

Deputy Director Bradshaw responded, the two generators are in working order.

Vice Mayor O'Connell closed by saying the City of San Bruno is required by law to disinfect the water to a degree that is in accordance with the Clean Water Act of 1984; we are in compliance with the Act.

Councilmember Ibarra said, although there are well educated and qualified people out there criticizing the use of Chloramine, they only represent one side of the issue. He asked Councilmember Pallas to show him a concrete plan to establish his proposed commissions, separate departments, revenue rich ideas and the elimination of Chloramine.

Robert Riechel, 7th Ave., asked, can we get water from San Francisco without any additives in it, if we decided to pump our own supply of untreated water? Also, can we get out of the current agreement we have with San Francisco for this test, to not pump water for a certain amount of months while we determine what effect it has on the aquifers.

Norma Bureau, Crestmoor Dr., said, our bodies are mostly made up of water, the main thing that we take into our body every day, is water. She showed the council one of several of her houseplants, she claims is turning white from a lack of nitrogen that she feels is due to Chloramine, the plants begin to do better when fed bottled water. She also claims it has an effect on the birds in her yard, they won't drink it.

Rose Urbach, Euclid Ave., asks, if the water is so good, why is there so much of it to be bought in stores? There should be a commission and research should be done before people die and then excuses will be made. Suggested a book in the library about fluorides and the aging factor.

Jim Kelly, Oak Ave., still feels confused about the issue of Chloramine. On the basis that nothing is more important than water, he believes the City should consider some kind of commission representing the public at large to consider, address, study, debate, and make recommendations all matters having to do with water. Suggests that the existing Ad-Hoc work together to create a framework for the commission.

Mayor Franzella wanted Mr. Riechel's questions answered. First, could we buy untreated water from the San Francisco PUC?

Public Works Director Scott Munns answered; all of the supply that is available for sale by the San Francisco PUC is from surface water sources and is therefore treated.

City Attorney Pamela Thompson addressed the question related to the City getting out of the Conjunctive Use Agreement, by stating, that we are in the middle of the second year of the agreement and there may possibly be a third year to the agreement. The benefit to the City of San Bruno being in the agreement is that specialized scientists are studying the aquifer and the effects of less pumping, to determine if that will re-charge the system. The study comes to the City free, and we are able to analyze the information ourselves and decide if we agree with it. The cost to the City to contract the same type of studies would be in the hundreds of thousands of dollars.

Councilmember Pallas made a motion to establish a water citizen's advisory commission. Motion died for lack of a second.

Councilmember Ibarra would like the record to reflect that in his opinion, adequate reason was not provided to substantiate the recommendation.

Councilmember Pallas would like the record to reflect that in his opinion, adequate reason was given but Councilmember Ibarra was not accepting of it.

UNFINISHED BUSINESS:

a. City Manager Jackson requested Council adopt resolution approving the proposed **2004-05 General Fund Budget Strategy Plan** which was presented at the April 13, 2004 City Council meeting.

In summary, she outlined the four categories of reduction, administrative and support function reduction of approximately \$415,000, representing 4.5 staff positions, restructuring of employee compensation, equaling approximately \$500,000, revenue enhancements, consisting principally of the development of a 911 User Fee Ordinance and possibly an in lieu franchise fee and other components of a

possible transfer of resources from the water and wastewater enterprises in the amount of \$1,275,000, and finally expenditure reductions in a broad variety of service areas including additional position eliminations totaling six, in the dollar amount of \$664,000. The total program recommended is a reduction of \$2,854,000; the projected deficit is \$3,000,000, the shortfall being approximately \$150,000. Which means further careful review and evaluation will take place of all operating expenditures proposed in the 2004-05 budget. In the event, that any of the proposed revenue enhancement methods, cannot not be achieved, adjustments will need to be made and also further direction from Council. She then answered questions.

Mayor Franzella supports the resolution, and in an effort to remain proactive, he would like a status report on the progress and success of the implementation of the program in 60 days.

Councilmember Ruane concurred, and noted Director of Finance Jim O'Leary compiling the information needed to put the 911 User Fee in place, and feels that the sooner we have all numbers and a timeframe for implementation, the better.

Councilmember Ruane introduced Resolution 2004-18, for adoption. Passed by the following majority vote, Mayor Franzella, Vice Mayor O'Connell, Councilmembers Ibarra and Ruane – Yes, Councilmember Pallas – No.

CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS: None

COMMUNICATIONS: None

STAFF REPORTS:

- a. **This item was moved to an earlier position in the agenda, it followed Item 5: Public Hearings.**
- b. Cable TV Director Gyaltsen recommended that the City Council authorize the addition of **Fox Sports Net Plus** to the Preferred Basic Cable Service and place on Channel 93. He gave a brief background of the current programming and outlined the benefits of his recommendation.

M/S Ibarra/Ruane, to accept the recommendation. Passed unanimously.

- c. Finance Director O'Leary recommends City Council adopt resolution ordering write off of **uncollectible utility accounts** for fiscal years 1996-97, 1997-98, 1998-99, 1999-00, 2000-01, and 2001-02, for a total amount of \$214,638.40.

Vice Mayor O'Connell noted that despite the wording of this resolution, these accounts are not being completely dismissed, this is an accounting practice that these numbers do not remain in our asset column and there are still attempts being made to collect these monies.

Director of Finance O'Leary confirmed this and added that should the collection agency be successful in their attempts, those monies will be taken in as revenue.

Councilmember Pallas asked out of \$10 collected by the collection agency, how much of that is returned to the City.

Director O'Leary responded, if they collect \$10, the City receives \$7 of that.

Councilmember Ibarra asked Director O'Leary to reiterate what steps have been put into place to prevent or curb similar situations in the future.

Director O'Leary explained, of the approximate \$200,000, 30% of that is due to one large company going bankrupt. New procedures are, holding deposits on non-owner occupied accounts, thus minimizing loss on those types of account. Also, delinquent accounts for property owners can be placed as liens on the County Property Taxes. The director feels that these two procedures will have positive results.

Rose Urbach, Euclid Ave., asked how these delinquent accounts could have gone on since 1996.

Mayor Franzella explained that these accounts are obligations that were incurred in the year that they are listed under; it doesn't mean they have been accruing debt since that year. In the case of renters being

delinquent, State Law prohibits Municipal Water Districts from placing liens on the property owners. Write-off's involving owner occupied accounts do not go back as far as 1996.

Councilmember Ibarra introduced Resolution 2004-19 for adoption. Passed unanimously.

- d. Parks and Recreation Services Director Mazzuca recommended City Council adopt resolution authorizing the submittal of an application for **Roberti-Z'berg-Harris (RZH) Block (Per-Capita) Grant Program Allocations** for the 2000 State Park Bond Act and approving use of the grant funds for renovation and improvements – 19 City Parks.

Vice Mayor O'Connell introduced Resolution 2004-20 for adoption. Passed unanimously.

REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Lynwood Freeland, Fleetwood Dr., suffers from memory loss, but claims there are rumors of sex houses existing in San Bruno. He is conducting his own investigation and feels that if he can prove the rumors to be true, he will file a lawsuit against the City for alleging police corruption.

Robert Riechel, 7th Ave., informed the Council of a lack of acceptable actions by the San Francisco International Airport concerning the on-going maintenance of the ditch east of 7th Ave. He reported a chain of recent events, asked the Council for their assistance in this matter, and gave the Council a copy of a letter he wrote outlining his complaints.

Pablo Pineda, SEIU Local 1877, asked for Council support in the fair negotiation of their union contract, which is up on April 30th, the Shelter Creek Condominium Owners Association wants to fire the current crew of 13 maintenance workers and sub-contract the work out with lower wages and no benefits.

Joe Sammut, San Antonio Ave., says that since September of last year all four of his vehicles have been broken into, a couple of weeks ago, guests of theirs had their car broken into, and last night their neighbors car was broken into. He has asked the Public Works department, to install another streetlight to better light the street, lighting is currently inadequate. He is concerned that this activity may escalate. **Mayor Franzella** directed the Public Works and Police Departments to look into this.

REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

- a. The Parks & Recreation Commission Chair Rico Medina presented the Commission's **annual report** to the City Council. He gave details of the new programs and activities, undertakings, accomplishments and collaborations and goals of the Parks & Recreation Department and the Planning Commission in the on-going effort to better serve the residents of San Bruno. On behalf of the Commission, he thanked the Council for the opportunity to serve the community.
- b. City Clerk Simon requested Council consider **appointment of citizen representative** to the San Mateo County Mosquito Abatement District Board of Trustees. Applicant interviews were set for, Tuesday, May 11th at 6:45 pm at the Senior Center, just prior to the regular Council meeting.
- c. Bay Area Water Supply & Conservation Agency (BAWSCA) representative, Vice Mayor O'Connell, recommended that the City Council authorize **letter to Congressman Lantos** requesting his opposition to the proposed \$8,000,000 annual federal fee for the Hetch Hetchy Reservoir in Yosemite National Park.

Vice Mayor O'Connell briefly explained, traditionally the annual federal fee paid by the San Francisco PUC has been \$30,000. With no real rationale, it was announced that the fee would be increased to \$8,000,000. No comparable charges are being made to other municipalities or businesses for similar uses on federal land, so, Vice Mayor O'Connell is asking for Council support in the form of the letter to Congressman Lantos.

Mayor Franzella is in full support of this effort and suggested we send a letter to Senator Feinstein applauding her efforts on this issue and also one to Senator Boxer soliciting her support as well.

M/S Franzella/Ibarra, to approve. Passed unanimously.

NEW BUSINESS:

- a. This item was moved to an earlier position in the agenda, it followed Item 5: Public Hearings.**

Councilmember Pallas urged City participation in celebrations surrounding the return of members of the military, from Iraq this month. A reception is planned at the California National Guard Armory here in San Bruno, in July.

Closed Session, entered into at 9:00 pm present was Mayor, Council, and City Manager.

- b. Closed Session** requested by City Manager Jackson, regarding the **City Manager's semi-annual performance review**. Pursuant to Gov't Code Section 54957.

At 9:45 pm, Mayor Franzella announce that an evaluation of the City Manager's performance had taken place and there was no reportable action.

ADJOURNMENT:

With no further business to transact, at 9:45 pm the meeting adjourned to 6:45 pm on Tuesday, May 11, 2004, at the San Bruno Senior Center, located at 1555 Crystal Springs Road, for the purpose of interviewing applicants for appointment to the San Mateo County Mosquito Abatement District Board of Trustees, thereafter the meeting will adjourn to the regular City Council meeting, at 7:00 pm.

Mayor Franzella adjourned tonight's meeting in a moment of silence in the memory of

Agnes Unterein

who was the secretary to former Police Chiefs Bill Maher and Russell Cunningham from 1950 – 1976. She was a dedicated employee and long time San Bruno resident.

The foregoing minutes were approved by
the San Bruno City Council at a regular
meeting held on May 11, 2004.

Respectfully submitted,

Ed Simon, City Clerk

Larry Franzella, Mayor